REMARKS

In the Office Action dated February 9, 2006, claim 1, 2, 4-9, and 12 were rejected under 35 U.S.C. § 102 over U.S. Patent No. 6,625,455 (Ariga); claims 3 and 11 were rejected under § 103 over Ariga in view of U.S. Patent No. 6,832,093 (Ranta); and claim 10 was rejected under § 103 over Ariga in view of U.S. Patent Application Publication No. 2002/0090953 (Aburai).

Although Applicant believes that the rejection of claim 1 is not well founded, claim 1 has been amended (see enclosure) so as to highlight a major difference between the teaching of Ariga and the present invention, namely the fact that the beacon is independent of the cellular system with which the terminal performs a call setup procedure.

Although Applicant had previously submitted arguments based on that difference in our response to the previous Office Action, it is respectfully noted that the Examiner did not respond specifically to this point in the "Response to Argument" section of the present Office Action.

Instead, the present Office Action stated that the claim does not clearly recite "executing a signaling sequence, prior to producing audible signals, in a call setup procedure between a cellular system and said terminal, said signaling sequence including transmitting the service restriction indication from said terminal to said cellular system." 2/9/2006 Office Action at 10. However, this is precisely the language explicitly set forth in the last clause of claim 1 of the present application.

Anyway, it is now even clearer in claim 1 as amended that the beacon is independent of the cellular system, which means that no radio signal is exchanged therebetween. Moreover, claim 1 recites executing a signaling sequence, prior to producing audible signals in a call setup procedure between the terminal and the cellular system (of which said beacon is independent).

According to claim 1, the role of the beacon is thus to broadcast, in a protected zone, a radio signal including a service restriction indication in respect of terminals situated in this protected zone. Afterwards, the call setup procedure is performed between the terminal and the cellular system, *independently* of the beacon. In other words, the terminal is the one that informs the cellular system of the service restriction, within the framework of a call setup procedure. The service restriction indication can then be analyzed in the cellular system to determine whether the call setup procedure can continue.

Ariga teaches a different subject matter. Indeed, the simple base station (100) of Ariga is arranged for receiving a telephone number (107) and/or a stop PS number notice (fig.4) from the portable telephone set (101) and for transmitting a communication suspension setting signal (108) to a public base station device (102) which is connected to a radio network (103).

Therefore, the simple base station (100) of Ariga is not independent of the radio network (103) since it can transmit a signal (108) to it through the public base station device (102).

Moreover, the simple base station (100) of Ariga cannot be assimilated to the beacon of the present invention, since it is a full base station with means for transmitting but also means for receiving information from terminals, while the role of a beacon is to broadcast information as recited in claim 1. This feature has also been explicitly recited in the new claim 13, for the case the Examiner would not consider it implicit from the language of claim 1. In this case, claim 13 should be indicated as allowable.

There is also another major difference between Ariga and the present invention, due to the question of the beacon independency. In the present invention indeed, the signaling sequence is executed in a call setup procedure between the terminal and a cellular system. As recited in amended claim 1, this means that the signaling sequence including transmitting the service restriction indication is executed with the cellular system within the framework of the call setup procedure, the beacon playing no role in this respect.

In Ariga, however, what could be compared to such signaling sequence including transmitting a service code is executed between the terminal (101) and the simple base station (100), as shown by the transmission of message 107. The radio network (103) is not involved in this transmission. Moreover, this transmission is not performed in a call setup procedure (i.e. when a call is to be established with respect to the terminal), but upon reception of the power OFF signal (106) by the terminal, that is prior to any call setup procedure.

Because of this, Ariga needs a position management server registering the communication state (suspended or not) of the portable telephone sets, so that it can later prevent a public base station from performing an incoming call to a particular portable telephone set. In the present invention, there is no need to register the service restriction in a position management server of the cellular system, since the terminal directly provides it to the cellular system in the

call setup procedure, i.e. when this information is really needed. The architecture is thus simplified.

For these reasons, the subject matter of claim 1 as amended is believed new and non-obvious over Ariga. Claims 2-5 and the new claim 13 (see above) are allowable as well, in particular since they all depend on claim 1. Similar arguments also apply to claims 6 and 7-12 and to the new claim 14 which is similar to claim 13.

Entry of this amendment to place the claims in condition for allowance is therefore respectfully requested.

The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 20-1504 (MTR.0089US).

Respectfully submitted,

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